

**IN THE UNITED STATES DISTRICT COURT OF PENNSYLVANIA  
WESTERN DISTRICT, ERIE DIVISION**

ERIE COUNTY ENVIRONMENTAL COALITION, et. al.)  
)  
Plaintiffs, ) **CIVIL ACTION NO: 05-59E**  
)  
v. )  
)  
MILLCREEK TOWNSHIP SEWER AUTHORITY, et. al. )  
) **FOR INJUNCTIVE AND**  
Defendants. ) **DECLARATORY**  
) **RELIEF AND FOR**  
) **CIVIL PENALTIES**  
)

**DECLARATION IN SUPPORT OF STANDING**

I, **Martin E Visnosky**, do hereby affirm and state:

1. I am a member of The GAIA Defense League and have been a member since November 2004. I am also a member of The Erie County Environmental Coalition. I have been a member since 1985. I have personal knowledge of the matters set forth herein, except where they are based upon information and belief.

2. **The mission of The GAIA Defense League:**

The purpose of the corporation is to, by utilizing the laws of the Commonwealth of Pennsylvania and the United States, protect the natural resources available to the citizens. The corporation intends to lawfully monitor the activities of the environmentally regulated community and when necessary, bring enforcement actions in the courts and administrative tribunals. Additionally, the corporation will undertake and promote the education of the citizenry in the protection of the natural resources. The corporation will also promote other civic interests such as assisting local governments on community building and sustainable development and conduct seminars and presentations to the public at large of a wide variety of related matters.

3. **The mission of Erie County Environmental Coalition:**

The Erie County Environmental Coalition (ECEC) is a network of regional conservation and environmental organizations that provides member organizations a united presence that will maintain and improve the quality of the environment and address related social justice concerns.

4. My present address is 402 Harvey Street Erie, PA 16511.
5. I understand that this declaration is to be used in connection with litigation over MillCreek Township and MillCreek Township Sewer Authority's failure to perform its duties under the Clean Water Act. I am supportive of this litigation.
6. Walnut Creek has been a favorite hiking and fishing spot of mine for decades. I enjoy Walnut Creek for its accessibility to walking its course for both nature and bird watching and seasonal fishing.
7. I enjoy participating in the aforementioned activities approximately 30 times a year.
8. My use of Walnut Creek has been significantly impacted by MillCreek Township and MillCreek Township Sewer Authority's continuous discharge of significant amounts of raw sewage and/or inadequately treated sewage into Walnut Creek and its surrounding tributaries without a NPDES permit or a Pennsylvania water quality management permit in the following ways: The natural resource is being significantly degraded by the discharges. My health when using the stream may be compromised. These discharges also have effects on the very reason I enjoy hiking and fishing the stream—the aquatic life in the stream and the associated wildlife that are part of its ecosystem.
9. I believe that my loss of enjoyment of Walnut Creek is a direct result of MillCreek Township and MillCreek Township Sewer Authority's failure to ensure that water quality standards are implemented within the township.
10. This court has the ability to ensure that Pennsylvania's waters are preserved for my use and enjoyment, as well as future generations, by forcing MillCreek Township Sewer Authority and MillCreek Township to comply with the Clean Water Act.

I VERIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
AND CORRECT. EXECUTED ON 11/18/05 (date).

Martin E. Dismore  
NAME